

## **REMARKS**

This Preliminary Amendment is concurrently filed with a Request for Continued Examination for the above-identified patent application. In this Preliminary Amendment, Applicants have canceled claims 91 and added claims 132-134. Accordingly, claims 85, 86, 88-90, 93, 115, 116, and 132-134 will be pending in the application after entry of this Amendment. This Preliminary Amendment is filed in response to the Final Office Action mailed August 22, 2008 and Notice of Non-Compliant Amendment mailed February 2, 2009.

### **I. Election/Restriction**

In the Final Office Action mailed August 22, 2008, claims 117-131 were restricted and claims 85, 86, 88-91, 93, 115, and 116 were constructively elected by the Examiner. Claims 117-131 have been canceled.

### **II. Rejections under U.S.C. Section 103**

In the Final Office Action, claims 85, 86, 88, and 115-116 were rejected under 35 USC § 103(a) as being unpatentable over US Patent 6,751,402 (hereinafter referred to as Elliot), in view of US Patent 6,901,603 (hereinafter referred to as Zeidler), in further view of US Patent 6,038,614 (hereinafter referred to as Chan).

Claim 89 was rejected under 35 USC § 103(a) as being unpatentable over Elliot, in view of Zeidler, in further view of Chan, in further view of US Patent 6,353,700 (hereinafter referred to as Zhou).

Claim 90 was rejected under 35 USC § 103(a) as being unpatentable over Elliot, in view of Zeidler, in further view of Chan, in further view of US Patent 6,826,512 (hereinafter referred to as Dara-Abrams).

Claim 91 was rejected under 35 USC § 103(a) as being unpatentable over Elliot, in view of Zeidler, in further view of Chan, in further view of US Patent 5,793,366 (hereinafter referred to as Mano).

Claim 93 was rejected under 35 USC § 103(a) as being unpatentable over Elliot, in view of Zeidler, in further view of Chan, in further view of US Patent 5,883,621 (hereinafter referred to as Iwamura).

Applicants have amended claim 85. Claim 85 as amended recites a home media system comprising:

network;

coupled to said network, a plurality of media devices comprising a plurality of different types of media objects comprising media, said plurality of media devices comprising a video device comprising video objects, an audio device comprising audio objects, and an image device comprising image objects;

acquisition storage set-top box, coupled to said network, configured for:

acquiring a plurality of different types of media objects comprising video, audio, and image objects from the plurality of media devices;

storing the plurality of different types of media objects; and  
organizing the plurality of different types of media objects based on the type of media object; and

control/playback set-top box, coupled to said network, configured for:

accessing, across said network, at least one media object from said acquisition storage set-top box;

running at least one of a plurality of media applications that provide functionality, through a user interface, to play media, said plurality of media applications comprising a video application for playing video media, an audio application for playing audio media, and a photo application for viewing image media;

receiving a first request for a first media object;

retrieving, across said network, said first media object from said acquisition storage set-top box;

running a first media application for playing first media in said first media object;  
receiving a second request for a second media object;  
retrieving, across said network, said second media object from said acquisition storage set-top box; and  
running a second media application for playing second media in said second media object, wherein said first and second media applications are run simultaneously and said first and second media are played simultaneously; and

plurality of client devices, coupled to said control/playback set-top box, the plurality of client devices comprising a display client device for displaying said user interface for said media application and for displaying video or image media and an audio client device for presenting audio media.

[Emphasis added.]

Applicants submit that none of the cited references, alone or in combination, teach or suggest each and every element of claim 85. For example, the cited references do not teach or suggest organizing the plurality of different types of media based on the type of media, and running first and second media applications simultaneously, and playing first and second media simultaneously.

Accordingly, Applicants respectfully submit that the cited references do not render unpatentable claim 85. Since claims 86, 88-90, 93, 115, 116, and 132-134 are dependent upon claim 85, Applicants respectfully submit that the cited references do not invalidate these claims for at least the reasons given above in relation to claim 85. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the section 103(a) rejection of the claims.

### CONCLUSION

In view of the foregoing, it is submitted that the claims are in condition for allowance. Reconsideration of the rejections and objections is requested. Allowance is earnestly solicited at the earliest possible date.

Respectfully submitted,

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